

**ESCAPE BRIEFING ON INMATES MOON AND LEGENDRE ON
NOVEMBER 14, 2005 AND OTHER RECENT EVENTS AT THE IOWA
STATE PENITENTIARY**

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The Iowa State Penitentiary at Fort Madison Iowa is the oldest operating penitentiary west of the Mississippi River. It was opened in 1839 and sits on approximately twenty acres, has a 30-foot limestone perimeter wall, and a combination of buildings, old and new.

SUMMARY OF INCIDENT

On the evening of November 14, 2005 during routine security rounds of the lower yard of the Iowa State Penitentiary (ISP), a Correctional Officer found a make shift rope made of upholstery webbing tied to a conduit on top of the maintenance shop. The Correctional Officer estimated the upholstery webbing was about 4 inches wide and 20 feet long and had fallen from the roofline of the maintenance shop building and was loosely hanging when found. Security checks were immediately started, the Industries Building was searched, and offenders Robert Legendre and Martin Moon were discovered unaccounted for.

The Fort Madison Police Department was notified at 8:30 p.m. of a possible escape. At this time, the Ft. Madison Police Department informed ISP officials there was a report of a missing vehicle from 14th Street in Fort Madison, Iowa. The car was reported to be a 1995 Pontiac Bonneville having approximately a half tank of fuel and contained no cash or credit cards. A bicycle taken from Avenue E near the prison was found at the scene of the missing vehicle.

Inmates Robert Legendre and Martin Moon were in a work crew of 20 inmates on the 4th floor of the Iowa Prison Industries building at the time of their disappearance. This crew of inmates was working from 2:30 p.m. to 6:25 p.m. due to production deadlines for a Prison Industries order. There was no other production work being performed on floors 1, 2 or 3 of the Industries building.

CONDITIONS THAT ALLOWED FOR THE ESCAPE

There were a number of errors made the evening of November 14, 2005 that caused a breakdown of security and allowed the two inmates to escape without

immediate detection. Three categories of problems combined to allow the pair an undetected and well-planned escape.

The breakdown of security falls into three rather broad categories: 1. Accountability of inmates, 2. Accountability of tools and materials, and 3. Inadequate institutional procedures and lack of adherence to existing procedures.

- 1. Accountability of Inmates**—The Industries supervisor did not properly count the inmates during the time inmates were working that evening. Inmates were not counted out to the dining hall at the end of the workday at approximately 6:15 p.m.
- 2. Accountability of Tools and Materials**—The escaped inmates used a variety of tools and materials to affect the escape. These materials were gathered over an undetermined period of time with some of the materials pre-positioned for use on the evening of November 14. Half-inch pipe and fittings from the plumbing shop were used to fashion the grappling hook. Upholstery webbing was used as a rope to scale buildings, and ultimately the wall. The webbing was used to drop over the perimeter wall outside the prison. Carpenter clamps were used to secure the strapping to the buildings. The inmates had makeshift backpacks to carry the materials.
- 3. Inadequate institutional procedures and lack of adherence to those procedures**—The current institutional procedures regarding counts, inventories, shakedowns, tool and inventory control, and escort and observation of inmates are inadequate. The count procedures do not require adequate accountability over time. There was no requirement for inmates to be counted during the special overtime shift, and no inmate count was required to be reported to the central control. Procedures regarding the inventory of tools, equipment and materials are inadequate to ensure proper accounting. These policies will need to be strengthened to require beginning and ending inventories of Industries and maintenance materials on a daily basis.

The two escapees transported the materials of escape on their person without being detected. Escape materials were allowed to be hidden within the Industries building without detection over an undetermined period of time.

The officer in Tower 5 did not observe the inmates climb up the wall of building 297 or throw the grappling hook to the guard railing on top of the

exterior prison wall or observe the inmates climb across the upholstery webbing to the exterior wall or observe the inmates drop over the outside of the wall. Even though it was dark at the time, the lighting in the southwest corner of the prison was good enough to see the inmates had the CO been positioned in the tower to observe this area.

The institutional procedures require that two officers in the control room issue keys, handcuffs, flashlights and other materials, while at the same time, opening a number of electronically controlled gates throughout the prison, and also observe the activities of 178 cameras on ten television monitors. The post order requires more than the officers can do, and as a result, the officers out of necessity, monitor the high traffic areas during their shift. At the time of the movement of the escapees in the Industries building, the observation of the officers was on traffic gates, and the dining hall where most of the inmate activity was occurring.

Tower 4 in the southwest corner of the main yard was staffed from 7-3 during the week to cover the movement of inmates on that side of the yard, to include observation of inmates working in Industries. Inmates normally ended work at approximately 2:30 pm. An extension of the workday for Industries was requested by IPI and granted by Security to allow the inmates to work until 6:25 pm. However, consideration was not given to staffing Tower 4 during this period and inmates were allowed to work after dark without proper coverage in Tower 4.

SOLUTIONS AND RECOMMENDATIONS

Security audits need to be conducted at all institutions immediately. These have already been started in all 9 prisons using the 30 standards of the Department's security audit system. The National Institute of Corrections (NIC) should be asked to provide consultants for reviewing the security system at the ISP and other prisons. The American Corrections Association (ACA) standards for security should be imposed immediately. This would cause higher standards for the control of tools, keys, and toxic and flammable materials. Search and shakedown procedures need to be rewritten and strengthened to allow for scheduled and random searches of buildings and areas, as well as random and routine searches of inmates. A highly randomized system should be used on occasion to avoid the possibility that inmates would be able to predict when and where searches would be made.

A staffing analysis of all institutions and central office should be conducted as soon as possible to determine proper and safe staffing levels. If there are special shifts such as was the case on November 14, an officer should be assigned to make the necessary counts and searches. There are currently two officers assigned to the Industries area to make checks and counts and conduct periodic and random shakedowns and searches of storage areas and inmates.

A study of ISP inmate work programs should be initiated to determine if current security levels can properly support the amount of work activity. High Mast lighting should be installed, or a significant upgrade made to the current lighting fixtures to include perimeter walls, interior buildings and yards.

Security screens should be installed on the windows on the first two floors of the Industries building immediately. Razor wire should be installed on the top of the plumbing/electrical building since it is within 30 feet of the main prison wall. The “death house” or building 297 should be demolished immediately. The placement of the Taut Wire system on the perimeter wall should be discussed with the manufacturer. Currently it is installed half way up the wall, and consideration should be given to placement higher up nearer the top. If the Taut Wire system is not raised higher, the razor wire should be placed closer to the top of the wall.

A study should be conducted immediately to determine which towers should be staffed including days and times. Solid walls or obstructions in towers should be replaced with security glass, and post orders should be simple and precise as to what the orders are for the officer assigned. ISP is currently looking at cost savings in other areas that might allow for increases in tower staffing.

CONCLUSION

The escape of inmates Moon and Legendre on November 14, 2005 have brought to light several inefficiencies and problem areas of the ISP. Even though both escapees have been returned to custody, several procedures have already been changed, and others are in the planning. Actions have been taken against some staff members and a new warden has been assigned.

The Department of Corrections and the Board of Corrections have been asked by Governor Vilsack to study the feasibility of replacement of the Iowa State Penitentiary for a more secure and cost effective facility. The Board of Corrections is meeting this Friday, December 2, 2005 to begin that study.